

ORIGINAL

DOCKET FILE COPY ORIGINAL

March 23, 1999

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
Room 222  
445 12th Street, S.W.  
Washington, DC 20554

RECEIVED

MAR 25 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Paxton, Nebraska.

Sincerely,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, Wyoming 82009

307-778-9318

No. of Copies rec'd  
List ABCDE

044

MMB

ORIGINAL

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

**RECEIVED**

**MAR 25 1999**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

**RM-**

In the matter of: )  
 )  
Amendment of Section 73.202 (b) )  
 )  
Table of Allotments )  
 )  
FM Broadcast Stations )  
 )  
(Paxton, Nebraska)

**PETITION FOR RULE MAKING**

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 228C1 (93.5 Mhz) to Paxton, Nebraska as its first local FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 228C1 (93.5 Mhz) to Paxton, Nebraska and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 228C1 to Paxton will have.

**DISCUSSION**

2. Paxton is located in Central Nebraska. It is also located within Keith County, a county of some 8,584 persons. Paxton has a population of 536 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 228C1 to Paxton will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Paxton is located at North Platte, Nebraska. North Platte is located 20 kilometers from Paxton.

It is obvious that from the above spacing that Paxton is presently without local FM service.

4. Paxton would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 20 Kilometers of Paxton. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Paxton area of emergency conditions caused by severe weather or other health hazards.

5. Channel 228C1 can be allotted to Paxton and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Paxton, Nebraska	-----	228C1

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 228C1 and the pertinent adjacent channels to 228C1 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 41 - 06' - 48", W. 101 - 21' - 12") are that of a site located within the community of Paxton. No site restriction will be required to allot channel 228C1 to Paxton. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Paxton. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Paxton would benefit from the allotment of channel 228C1. It has also been shown that channel 228C1 can be allotted to Paxton and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 228C1 for Paxton, Nebraska , 73.202.


8. Should channel 228C1 be allotted to Paxton, I certify that I will file an application for a Construction Permit to operate an FM station for Paxton, Nebraska.

## CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 22, 1999

Respectfully submitted,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 228C1 (93.5 MHz), at N. 41 6 48, W. 101 21 12.

Searching Channel 228C1 (93.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Lexington	NE	226	C1	U	139.7	82.0	109.3°	57.7
KRVNFM	Lexington	NE	226	C1	L	139.7	82.0	109.3°	57.7
ALC	Columbus	NE	228	C1	U	311.1	245.0	81.2°	66.1
KKOT	Columbus	NE	228	C1	L	311.2	245.0	81.2°	66.2
ALC	Pine Ridge	SD	228	A	V	233.9	196.0	334.8°	37.9
ALC	McCook	NE	230	C2	U	118.1	79.0	148.6°	39.1
KSWN	McCook	NE	230	C2	L	112.3	79.0	155.8°	33.3

FIGURE 1  
CHANNEL SPACING STUDY  
PAXTON, NEBRASKA  
MOUNTAIN WEST BROADCASTING